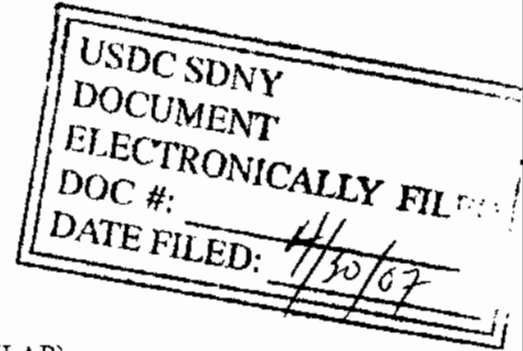


WESKA / J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



PUBLIC UTILITY DISTRICT NO. 1
OF SNOHOMISH COUNTY,
WASHINGTON,

Appellant,

v.

ENRON POWER MARKETING, INC.,

Appellee.

No. 07 Civ. 218 (LAP)

PUBLIC UTILITY DISTRICT NO. 1
OF SNOHOMISH COUNTY,
WASHINGTON,

Appellant,

v.

ENRON POWER MARKETING, INC.,

Appellee.

No. 07 Civ. 3078

STIPULATION

WHEREAS, Appellant Public Utility District No. 1 of Snohomish County, Washington ("Snohomish") has appealed to this Court the October 30, 2006 order of the U.S. Bankruptcy Court for the Southern District of New York (Gonzalez, J.), in Adversary Proceeding No. 03-2064, enjoining Snohomish pursuant to the automatic stay provisions of the Bankruptcy Code from pursuing certain proceedings before the Federal Energy Regulatory Commission, and that appeal, docketed as No. 07 Civ. 218, was stayed through April 13, 2007 by successive stipulations of the parties, so ordered by this Court; and

WHEREAS, Snohomish has also appealed to this Court the Bankruptcy Court's March 19, 2007 final order in Adversary Proceeding No. 03-2064, and that appeal has been docketed as No. 07 Civ. 3078; and

WHEREAS the two appeals arise out of the same adversary proceeding and present related issues;

NOW, THEREFORE, Snohomish and Appellee, Enron Power Marketing, Inc. ("EPMI"), by their undersigned counsel of record, hereby stipulate and agree that:

1. The two appeals docketed as No. 07 Civ. 218 and No. 07 Civ. 3078 shall be consolidated for purposes of briefing and argument under docket number 07 Civ. 218; and

2. The briefing schedule for the consolidated appeals shall be as follows:
- a. Snohomish's opening brief shall be due on June 11, 2007;
 - b. EPMI's responsive brief shall be due on July 16, 2007; and
 - c. Snohomish's reply brief shall be due on July 30, 2007.

April 26, 2007

ENRON POWER MARKETING, INC.

By: 

Jonathan D. Polkes (JP 4265)
Weir Gotshal & Manges LLP

PUBLIC UTILITY DISTRICT NO. 1 OF
SNOHOMISH COUNTY

By: 

Craig Goldblatt (CG 6793)
Wilmer Cutler Pickering Hale and Dorr LLP

So ordered
Louella A. Presha
USDJ

April 30, 2007